IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

WP(C).No. 12244 of 2004(G)

PETITIONER:

N.I.INSTITUTE OF ENGINEERING,
AMARAVILA, NEYYATTINKARA, REP. BY ITS PRINCIPAL,
A.P. MAJEED KHAN.

BY ADV. SRI.G.S.REGHUNATH

RESPONDENTS:

1. **STATE OF KERALA,**
   REP. BY THE PRINCIPAL SECRETARY TO GOERNMENT,
   SCHEDULED CASTE AND SCHEDULED TRIBE DEVELOPMENT
   DEPT., SECRETARIAT, TRIVANDRUM.

2. **THE DIRECTOR,**
   SCHEDULED CASTE AND SCHEDULE TRIBE DEVELOPMENT
   DEPARTMENT, DIRECTORATE, TRIVANDRUM.

3. **THE DISTRICT SCHEDULED CASTE**
   DEVELOPMENT OFFICER, TRIVANDRUM.

4. **THE SCHEDULED CASTE DEVELOPMENT OFFICER,**
   ATHIYANNOOR BLOCK, NEYYATTINKARA, TRIVANDRUM.

BY GOVERNMENT PLEADER SRI. P.SANTHOSH KUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 12244/2004 G

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE COMMUNICATION SENT TO THE DIRECTOR OF TRAINING, GOVT. OF INDIA DT.19/9/62.

EXT.P2. COPY OF THE COMMUNICATION DT. 17/6/63 BY THE DIRECTOR, TRAINING, GOVT. OF KERALA TO THE PETITIONER.

EX.T.P3. COPY OF THE LETTER DT. 8/4/64 BY THE DIRECTOR OF TRAINING, VAZHUTHACAUD, TRIVANDRUM.

EXT.P4. COPY OF THE COMMUNICATION DT. 11/4/78 BY THE NCVT.

EXT.P5. COPY OF THE LETTER DT. 11/3/82 BY THE NCVT.

EXT.P6. COPY OF THE COMMUNICATION DT. 21/11/85 BY THE NCVT.

EXT.P7. COPY OF THE GOVT. ORDER DT. 3/3/82 NO. GO RT NO. 313/82/DD.

EXT.P8. COPY OF THE ORDER NO. A3/3637/99 DT. 3/00.

EXT.P9. COPY OF THE ORDER NO. B2/19296/2000/D.DIS DT. 10/11/00.

EXT.P10. COPY OF THE ORDER NO.A 3. 8703/00 DT. 3/1/.

EXT.P11. COPY OF THE LETTER DT. 16/7/01 BY THE DIST. SCHEDULE CASTE DEVELOPMENT OFFICER.

EXT.P12. COPY OF THE MINUTES OF THE PROCEEDINGS REGARDING THE SELECTION FOR 1999-00.

EXT.P13. COPY OF THE MINUTES OF THE PROCEEDINGS REGARDING THE SELECTION FOR 2000-01.

EXT.P14. COPY OF THE MINUTES OF THE PROCEEDINGS REGARDING THE SELECTION FOR 2001-02.

EXT.P15. COPY OF THE MINUTES OF THE PROCEEDINGS REGARDING THE SELECTION FOR 2002-03.

EXT.P16. COPY OF THE MINUTES OF THE PROCEEDINGS REGARDING THE SELECTION FOR 2003-04.

EXT.P17. COPY OF THE ORDER NO. E. 5/864/03 DT. 18/10/03.

EXT.P18. COPY OF THE LETTER DT. 11/11/03 SENT THE PETITIONER TO THE R2.

EXT.P19. COPY OF THE LETTER DT. 3/2/04 BY THE PETITIONER TO THE R2.

EXT.P20. COPY OF THE LETTER DT. 17/3/04 BY THE R4 TO THE PETITIONER.

EXT.P21. COPY OF THE STATEMENT SHOWING THE AMOUNTS OF TUITION FEES DUE FROM THE RESPONDENT FROM 1999-04.

EXT.P22. COPY OF THE REPRESENTATION TO THE CHIEF MINISTER BY THE PETITIONER ON 9/1/2004.

EXT.P23. COPY OF THE STATEMENT SHOWING THE AMOUNTS ACTUALLY DUE FROM 1999-2003 AND THE AMOUNTS PAID ON THE DATES MENTIONED ABOVE.

RESPONDENT'S EXHIBITS /ANNEXURES

AXE R1A. COPY OF THE ORDER NO. SC/DA/ 600/2001 DT. 28/7/04.

AXE R1B. COPY OF THE ORDER SC/DA/600/01 DT. 20/8/04.

AXE R1C. COPY OF THE STATEMENT SHOWING THE DETAILS OF SC STUDENTS IN NI INSTITUTE OF ENGINEERING.

AXE R1D. COPY OF THE -DO- SENIOR 99-01.

AXE R1E. COPY OF THE -DO- JUNIOR 2000-02.

AXE R1F. COPY OF THE -DO- SENIOR 2000-02.

AXE R1G. COPY OF THE -DO- JUNIOR 2001-03 BATCH.

AXE R1H. COPY OF THE -DO- SENIOR 2001-03 BATCH.

AXE R1(I). COPY OF THE -DO- JUNIOR 2002-04 BATCH.

True copy

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KURIAN JOSEPH, J.

W.P. (C). NO. 12244 OF 2004

Dated this the 18th day of July, 2007.

J U D G M E N T

This writ petition is filed with the following prayer:

> A) That a writ of mandamus or other order be issued directing the respondents to pay to the petitioner the tuition fees detailed in Ext. P21 due from the students selected by the respondents and admitted to the institute of the petitioner during the year 1999 to 2003 and training imparted.

2. Learned Special Government Pleader inviting reference to Annexures R1 (a) and (b) submits that steps have already been taken except for the students whose admissions were under dispute. In view of the statement as above, in case the petitioner has still any grievance left, he may approach the second respondent, in which case, appropriate action in accordance with law in the matter will be taken within a period of another three months.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp